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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,178	03/23/2004	Makoto Toyota	P24997.US0412.dc	2011

7055 7590 12/14/2005

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EXAMINER

A, MINH D

ART UNIT PAPER NUMBER

2821

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

**Application No.**

10/806,178

**Applicant(s)**

TOYOTA ET AL.

**Examiner**

Minh D. A

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9/28/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-9 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***DETAILED ACTION***

Applicant's communication filed on 9/28/05 has been carefully considered by the examiner. The arguments advanced therein are persuasive with respect to the rejection of record, and those rejection are accordingly withdrawn. In view of a further consideration, however, a new rejection is set forth below. This action is not made final.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugimoto et al (US 6,927,683).

Regarding claim 4, Sugimoto discloses an apparatus, comprising:

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a power source device (90) comprising a current controller, and an illumination head, connected to the power source device, and comprising a current detection resistor(120) that detects current(120) flowing through a power supply circuit, at least one light emitting device(85a-85b) being connected to the power supply circuit in the illumination head, wherein a resistance value of the current detection resistor(130) is selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting device, and wherein the current controller controls (switching (130a) the supplied current such that a potential for the voltage drop caused in the current detection resistor (120) is equal to the predetermined reference potential. See figures 1-7, col.2, lines 53-67 to col.5, lines 1-67.

Regarding claim 5, Sugimoto discloses at least one light emitting device connected to a power supply circuit' and a current detection resistor that detects a current flowing in the power supply circuit, a resistance value of the current detection resistor being selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting device. See figures 1-7, col.2, lines 53-67 to col.5, lines 1-67.

Regarding claim 6, Sugimoto discloses a power source device that supplies power to an illumination head, comprising'. a current controller', wherein the illumination head includes a current detection resistor that detects a current flowing to a power supply circuit in which at least one light emitting device is connected, a resistance value of the current detection resistor being selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting

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device, and wherein the current controller is disposed such that a potential of the voltage drop caused in the current detection resistor is equal to the predetermined reference potential when the illuminating head is connected to the power source device. See figures 1-7, col.2, lines 53-67 to col.5, lines 1-67.

Regarding claims 7-9, Sugimoto discloses a supplied current is controlled to be a rated current of the illumination head when the illumination head is connected to the power source device. See figures 1-7.

### ***Conclusion***

3. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Prior art does not teach that, a constant voltage is output from the current detection resistor for each of a plurality of illumination heads with different rated currents recited in dependent claims 10-12.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Haller (US 6,485,112) and Okawa et al (US 6,157,160) are cited to show a lighting control system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

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If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.


Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.

Examiner

Minh A

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12/05/05



WILSON LEE  
PRIMARY EXAMINER